

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT1. CONTRACT CODE
12PAGE OF PAGES
1 22. AMENDMENT/MODIFICATION NO.
58

3. EFFECTIVE DATE

4. REQUISITION/PURCHASE REQ. NO.

5. PROJECT NO. (If applicable)

See page 1a

6. ISSUED BY

CODE

PS33-MNH

7. ADMINISTERED BY (If other than Item 6)

CODE

PS22

Procurement Office
George C. Marshall Space Flight Center
National Aeronautics and Space Administration
Marshall Space Flight Center, AL 35812

MSFC Adm: 33-MNH/Lee Whalen
256-544-4805

lee.c.whalen@nasa.gov

AUTOMATED INVOICE PAYMENT INFORMATION: (256) 544-5566

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State, and Zip Code)

Hernandez Engineering, Inc.
16055 Space Center Boulevard, Suite 725
Houston TX 77062

(x)

9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

X

10A. MODIFICATION OF
CONTRACT/ORDER NO.
NAS8-00179

10B. DATED (SEE ITEM 13)

10/01/00

CODE

FACILITY CODE 2Y303

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

see page 1a

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(x) A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, THE "LIMITATION OF FUNDS" CLAUSE

X C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
FAR 43.103 (a) (3) and Mutual Agreement Between Both Parties

D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return **3** copies to the issuing office.

	Negotiated Est. Cost	Potential Award Fee	Earned Award Fee (Metric Eval.)	Earned Award Fee (Performance)	Contract Value	Total Sum Allotted
Previous	\$46,767,753	\$1,419,522	519,343	840,494	49,547,112	39,404,585
This Mod	0	(729,673)	291,870	430,798	(7,005)	1,452,500
New Total	\$46,767,753	\$689,849	811,213	1,271,292	49,540,107	\$40,857,085

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Lee C. Whalen, Jr.
Contracting Officer

15B. CONTRACTOR/OFFEROR

15C. DATE SIGNED

16B. UNITED STATES OF AMERICA

16C. DATE SIGNED

(Signature of person authorized to sign)

BY

(Signature of Contracting Officer)

WBS Element Internal Order Cost/Fund Ctr/ Fund Amount

4200087163

62 FC400000 62S&MA 62-CTRGA SAEX22004D \$50,000

4200090001

62 62-794-20-42 FC400000 62QD03 62-794 SFCX22004D \$24,000

4200090428

62 FC400000 62S&MA 62-CTRGA EXCX22005D \$160,000

4200092873

62 62-377-20-10-02 FC400000 62QD03 62-377-20 EXCX22005D \$380,000

4200094305

62 FC400000 62S&MA 62-CTRGA EXCX22005D \$400,000

4200094334

62 62-377-20-10-02 FC400000 62QD03 62-377-20 EXCX22005D \$370,000

4200094338

62 62-617-47-10 FC400000 62QD03 62-617 EXCX22005D \$53,500

4200094571

62 62-617-45-20 FC400000 62TD15 62-617 EXCX22005D \$15,000

Total

\$ 1,452,500

This modification is issued pursuant to Clause B.2 CONTRACT COST AND FEES, the contractor's acceptance letter dated December 20, 2004, the Fee Determination Official "Award Fee Findings and Determination" dated December 20, 2004, the contractor's self-evaluation report dated October 8, 2004, and provides incremental funding IAW the "Limitation of Funds" clause. The foregoing action is further implemented by the inclusion of the following changes marked in **BOLD**.

Clause B.2 CONTRACT COST AND FEES paragraph (b) is deleted in its entirety and the following is substituted in lieu thereof:

"B.2 CONTRACT COST AND FEES"

(b) A summary of the estimated cost and fees for the performance of work under this contract is as follows:

	<u>Previous Amount</u>	<u>Adjusted this Mod</u>	<u>New Total</u>
<u>Estimated Cost</u>	\$46,767,753	-0-	\$46,767,753
<u>Potential Award Fee(s)</u>	1,419,522	(729,673)	689,849
<u>Potential Performance Eval Fee (60%)</u>	851,713	(430,798)	420,915
<u>Potential Metrics Eval. Fee (40%)</u>	567,809	(291,870)	275,939
<u>Earned Performance Eval. Fee</u>	840,494	430,798	1,271,292
<u>Earned Metric Eval. Fee</u>	519,343	291,870	811,213
<u>Total</u>	\$49,547,112	(\$7,005)	\$49,540,107

(c) Estimated cost and fees applicable to each option period are set forth below:

<u>Option No.</u>	<u>Period Covered</u>	<u>Estimated Cost</u>	<u>Performance Evaluation Fee</u>	<u>Metrics Evaluation Fee</u>	<u>Total Option Value</u>
1	10/01/01-09/30/02	\$7,863,911	\$ 280,979	\$ 134,761	\$ 8,279,651
2	10/01/02-09/30/03	9,185,356	330,555	224,867	9,740,778
3	10/01/03-09/30/04	11,922,423	437,803	291,870	12,652,096
4	10/01/04-09/30/05	11,271,735	413,909	275,940	11,961,584

(End of clause)"

Clause B.3 AWARD FEE FOR SERVICE CONTRACTS (1852.216.76) (MAR 1998), paragraphs (e)1. and 2. are hereby deleted in their entirety and the following is substituted in lieu thereof:

"B.3 AWARD FEE FOR SERVICE CONTRACTS (1852.216.76) (MAR 1998)"

1. Summary of Potential and Earned Performance Evaluation Fee.

Award Fee Period	<u>Original Amount Available</u>	<u>Performance Eval. Fee Earned</u>	<u>Mod No.</u>
10/01/00 - 03/31/01	\$ 117,545.00	\$ 111,079.00	Mod 07
04/01/01 - 09/30/01	\$ 122,030.00	\$ 117,881.00	Mod 15
10/01/01 - 09/30/02	\$ 288,776.00	\$ 280,979.00	Mod 28
10/01/02 - 09/30/03*	\$ 337,301.00	\$ 330,555.00	Mod 45
10/01/03 - 09/30/04	\$ 437,803.00	\$ 430,798.00	Mod 58
10/01/04 - 09/30/05	\$ 413,909.00		
Total	\$1,717,364.00	1,271,292 .00	

2. Summary of Potential and Earned Metrics Evaluation Fee.

Period	<u>Available</u>	<u>Eval. Fee Earned</u>	<u>Mod No.</u>
	(End of clause) "		
10/01/00 - 03/31/01	\$ 78,362.00	\$ 78,362.00	Mod 07
04/01/01 - 09/30/01	\$ 81,353.00	\$ 81,353.00	Mod 15
10/01/01 - 09/30/02	\$ 192,516.00	\$ 134,761.00	Mod 28
10/01/02 - 09/30/03	\$ 224,867.00	\$ 224,867.00	Mod 45
10/01/03 - 09/30/04	\$ 291,870.00	\$ 291,870.00	Mod 58
10/01/04 - 09/30/05	\$ 275,940.00		
Total	\$1,144,908.00	\$ 811,213.00	

(End of clause) "

Clause B.5 CONTRACT FUNDING (1852.232-81) (JUN 1990) is hereby deleted in its entirety and the following is substituted in lieu thereof:

"B.5 CONTRACT FUNDING (1852.232-81) (JUN 1990)

- (a) For the purposes of payment of cost, exclusive of fee, in accordance with the Limitation of Funds clause, the total amount allotted by the Government to this contract is **\$38,431,577**. This allotment is for safety and Mission Assurance Mission Services and covers the following estimated period of performance: October 1, 2000, through **March 8, 2005**.
- (b) An additional amount of **\$344,935** is obligated under this contract for payment of fee.
- (c) Recapitulation of funding is as follows:

	<u>Previous</u>	<u>This Action</u>	<u>Total</u>
Estimated Cost	37,324,002	1,107,575	38,431,577
Provisional Award Fee	720,746	344,925	1,065,671
Earned Award Fee	1,359,837	729,673	2,089,510
Performance Eval Fee	840,494	430,798	1,271,292
Metrics Eval. Fee	<u>519,343</u>	<u>291,870</u>	<u>811,213</u>
Total Sum Allotted	\$39,404,585	\$ 1,452,500	\$40,857,085

(End of clause) "